

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A recombinant nucleic acid encoding an Apop3 protein that comprises an amino acid sequence at least 85% identical to the amino acid sequence depicted in Figure 6 (SEQ ID NO:6), wherein the Apop3 protein ~~affects~~ induces apoptosis.
2. (Previously Amended) A recombinant nucleic acid according to claim 1 comprising the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its ^{full} complement.
3. (Previously Amended) A recombinant nucleic acid according to claim 1 wherein said nucleic acid hybridizes under high stringency conditions to the ^{full complement of} nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its complement, wherein the hybridization takes place at 60°C in the presence of between 0.01 M and 1.0 M sodium ion, and at a pH between 7.0 and 8.3. *the*
4. (Previously Amended) A recombinant nucleic acid according to claim 1 wherein said nucleic acid comprises a nucleotide sequence at least 85% identical to the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its ^{full} complement.
5. (Previously Amended) A recombinant nucleic acid according to claim 1 wherein said Apop3 protein comprises the amino acid sequence depicted in Figure 6 (SEQ ID NO:6)
6. (Original) ~~A recombinant nucleic acid according to claim 1 wherein said Apop3 protein is a human Apop3 protein.~~
6. (Previously Amended) A recombinant nucleic acid comprising nucleotides 1-822 depicted in Figure 5 (SEQ ID NO:5), or its ^{full} complement.

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7 8. (Original) A recombinant nucleic acid according to claim 1 operably linked to control sequences recognized by a host cell transformed with the nucleic acid.

9 9. (Original) An expression vector comprising the nucleic acid of claim 1.

10 10. (Original) ^{An isolated} A host cell comprising the nucleic acid of claim 1.

11 11. (Original) ^{An isolated} A host cell comprising the expression vector of claim 8.

12 12. (Currently Amended) A recombinant Apop3 protein comprising an amino acid sequence at least 85% identical to the amino acid sequence depicted in Figure 6 (SEQ ID NO:6), wherein the Apop3 protein affects induces apoptosis.

13 13. (Previously Amended) An Apop3 protein according to claim 12 comprising the amino acid sequence depicted in Figure 6 (SEQ ID NO:6).

14 14. (Previously Amended) An Apop3 protein according to claim 12 wherein said Apop3 protein is encoded by a nucleic acid comprising the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its ^{full} complement.

15 15. (Previously Amended) An Apop3 protein according to claim 12 wherein said Apop3 protein is encoded by a nucleic acid which nucleic acid comprises a nucleotide sequence at least 85% identical to the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its ^{full} complement.

16 16. (Previously Amended) An Apop3 protein according to claim 12 wherein said Apop3 protein is encoded by a nucleic acid which nucleic acid will hybridize under high stringency conditions to the ^{full complement of the} nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its complement, wherein the hybridization takes place at 60°C in the presence of between 0.01 M and 1.0 M sodium ion, and at a pH between 7.0 and 8.3.

17. (Original) An Apop3 protein according to claim 12 wherein said Apop3 protein is a human Apop3 protein.

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¹⁶ 18. (Currently Amended) A recombinant Apop3 protein comprising the amino acid sequence 1-274 depicted in Figure 6 (SEQ ID NO:6), wherein the Apop3 protein affects induces apoptosis.

¹⁷ 19. (Original) A process for producing an Apop3 protein according to claim ¹⁷ 1/2 comprising culturing the host cell of claim 10 under conditions suitable for expression of said Apop3 protein.

¹⁸ 20. (Original) A process according to claim ¹⁷ 18, further comprising recovering said Apop3 protein.

21-24. (Cancelled)

¹⁹ 21. (Currently Amended) A method for screening for a bioactive agent capable of modulating the ^{apoptotic} activity of an Apop3 protein according to claim ¹⁷ 22, said method comprising the steps of:

a) adding a candidate bioactive agent to a cell comprising a recombinant nucleic acid encoding said Apop3 protein, wherein said Apop3 protein affects induces apoptosis; and

b) determining the effect of the candidate bioactive agent on apoptosis, thereby determining the ability of the candidate bioactive agent to modulate the ^{apoptotic} activity of the Apop3 protein.

²⁰ 22. (Original) A method according to claim ²¹ 21 wherein a library of candidate bioactive agents is added to a plurality of cells comprising a recombinant nucleic acid encoding said Apop3 protein.

²¹ 23. (New) The recombinant nucleic acid according to claim 1 wherein said nucleic acid comprises a nucleotide sequence at least 90% identical to the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its ^{full} complement.

22 24/ 28. (New) The recombinant nucleic acid according to claim 1 wherein said nucleic acid comprises a nucleotide sequence at least 95% identical to the nucleotide sequence depicted in Figure 5 (SEQ ID NO:5) or its ^{full} complement. 11

23 25/ 29. (New) The Apop3 protein according to claim 12, comprising an amino acid sequence at least 90% identical to SEQ ID NO:6. 11

24 26/ 30. (New) The Apop3 protein according to claim 12, comprising an amino acid sequence at least 95% identical to SEQ ID NO:6. 11